

SECTION 2.0

PROPOSED ACTION

The proposed action is privatization and expansion of family housing areas in the northwest portion of Fort Detrick, which entails construction of about 292 new housing units, demolition of about 127 existing units, and revitalization of about 62 existing units, and construction of associated access roads and ancillary facilities.

This section presents information on the Army's RCI Program and Fort Detrick's proposed action under that initiative. Section 2.1 describes the Army RCI generally and the legislative authorities in detail, while Section 2.2 describes more specifically how the CDMP would be implemented at Fort Detrick. Implementation of the proposed action as described in Section 2.2 is Fort Detrick's preferred alternative for privatization of family housing. Other alternatives are described in Section 3.0.

Consistent with authorities contained in the 1996 MHPI, Fort Detrick proposes to transfer responsibility for providing housing and ancillary supporting facilities to GMH, a private real estate developer. Fort Detrick has worked with GMH to develop a CDMP to implement the MHPI at Fort Detrick.

Development of the CDMP was an iterative process. The CDMP was fine-tuned to meet Fort Detrick's needs for attaining affordable, quality housing and other facilities, as well as minimizing or avoiding potential environmental impacts. An excerpt of the CDMP is provided in Appendix A. In accordance with the CDMP, Fort Detrick proposes to do the following:

- ¶# Convey 190 existing family housing units¹ to GMH and provide GMH with a 50-year land lease² of up to 109 acres. See Figure 2-1.
- ¶# Convey existing housing maintenance facilities and ancillary support facilities and lease the underlying land.

The total acreage to be leased would be about 109 acres, of which about 61 acres are undeveloped.

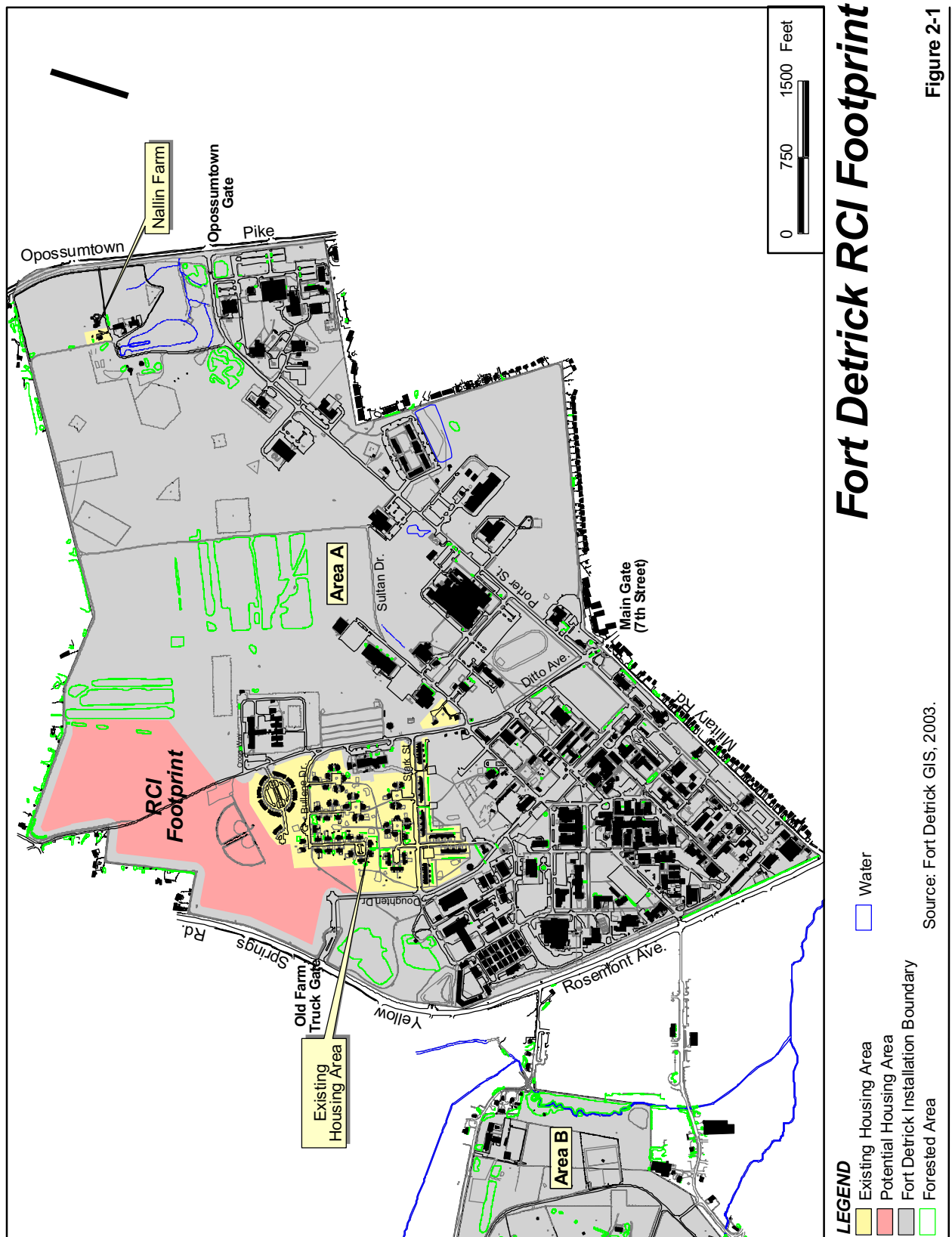
Implementation of the CDMP would increase the on-post-housing inventory by 163 units, which would provide an end state inventory of 354 units, revising the mix of family housing to better meet current soldier family requirements; address the deficit in three- and four-bedroom units; renovate or improve retained units; and provide landscaping improvements, parks, and playgrounds. GMH would construct approximately 292 new units, demolish about 127 units, and revitalize about 62 units.

The initial development plan would be implemented over an approximately 3-year period beginning in August 2004. Existing housing units would not be demolished or rehabilitated until new units were constructed to provide a pool of housing to prevent a housing shortage during construction and rehabilitation.³

¹ There are 191 existing housing units on Fort Detrick; 190 units would be conveyed, including Building 1654 on Nallin Farm, which would be conveyed to GMH on a temporary basis. Building 1652 on Nallin Farm would not be conveyed.

² It is expected that all the conveyed units and ancillary structures, as well as the new units, would revert back to Army ownership after 50 years.

³ Some families would have to move as a result of construction activities, but they would not have to move off-post. Any required move would be at the government's expense.



Implementation of the CDMP would also require GMH to operate and maintain all family housing for a period of 50 years, as well as construct, operate, and maintain ancillary supporting facilities.

2.1 THE ARMY RESIDENTIAL COMMUNITIES INITIATIVE

2.1.1 Army RCI Procedures

The MHPI grants DoD and the Military Services new authorities for obtaining family housing and ancillary supporting facilities. The essence of the authorities is that they comprehensively allow access to private sector financial and management resources for the improvement, construction, operation, and maintenance of family housing. The Army RCI implements the 1996 MHPI. The Army RCI is meant to be put into effect at individual installations or, in some instances, at clusters of installations that are close to each other.

The goal of the Army RCI, simply stated, is to provide affordable, quality housing for soldiers and their families. Implementation of RCI projects, however, is complex. Projects typically involve large numbers of family housing units, and they represent sizable financial stakes for both the private sector developer and the Army. Moreover, project implementation is complex because of the considerable amount of planning, coordination, and oversight that must occur among diverse functions such as engineering, finance, real estate, housing management, law, and others, including the local community.

An RCI project normally addresses an installation's entire inventory of family housing. It might also address required ancillary supporting facilities such as community centers, neighborhood playgrounds, housing offices, and maintenance facilities. An RCI project typically has seven major steps:

1. Decision to participate in the Army RCI. The initial decision whether an installation will participate in the Army RCI rests with the Installation Commander. The Commander's decision can be influenced by many considerations. These extend to matters such as the general condition and availability of family housing for soldiers assigned to the installation, the number of personnel on waiting lists for family housing, the length of time required to obtain family housing, and private sector housing costs near the installation. A Commander's decision to participate in the RCI does not necessarily mean that an RCI project will ultimately occur; rather, it means that planning for the project can proceed.

2. Preliminary determination of requirements. An RCI project has five very visible components: (1) construction of new housing, (2) demolition of existing housing that is obsolete or beyond economical repair or rehabilitation, (3) renovation of housing, (4) provision of ancillary supporting facilities, and (5) operation and maintenance of the housing inventory. Upon an installation's entry into the Army RCI, information to support decisions about requirements for each component must be gathered and verified. Also, suitable locations might have to be identified for siting of new housing or ancillary supporting facilities.

To help reach these preliminary determinations, the Installation Commander initiates several studies and reports. Among these are a Report of Availability (identification of areas that might be leased to a developer or private sector entity, referred to as the "Development Entity"), an Environmental Baseline Survey (EBS) (examination of potential contamination at the proposed lease site), and DA Form 337 (identification of buildings and improvements that might be conveyed to the Development Entity as part of the CDMP). The Installation Commander may begin analysis of potential environmental effects at this early stage of the project's planning. Other studies that also might be initiated include a Housing Market Analysis and engineering studies pertaining to utility capacity, soil testing, and boundary delineation. For RCI projects involving housing eligible for listing in the National Register of Historic Places (NRHP), the

Installation Commander should initiate consultation under Section 106 of the National Historic Preservation Act. In all cases, the Installation Commander initiates coordination with local school districts to ensure local officials' ability to plan for and accommodate children's educational needs.

3. Two-Step Request for Qualifications. The Army RCI Project Office, located within Headquarters, Department of the Army, oversees a two-step Request for Qualifications (RFQ) solicitation. Step 1 of the RFQ identifies potential Development Entities that are highly qualified with respect to experience, financial capability, organization (corporate level), past performance, and small business utilization (general history). Offerors meeting these requirements constitute an exclusive competitive range. In Step 2 of the RFQ process, an installation's Development Entity is selected based on its installation-specific preliminary concept, financial return, organizational capabilities, and small business plan.

4. Negotiation of the CDMP. Requirements for new construction, demolition, renovation, and ancillary supporting facilities, as well as future operation and maintenance of family housing, are identified and agreed upon through negotiations between an installation and its Development Entity. It is during this planning and negotiating process that a variety of options or alternatives for family housing (e.g., housing sites and housing densities) and ancillary supporting facilities (e.g., types of facilities and possible locations) are considered and some are dismissed for cost, financial, or other reasons. During this time, the NEPA analysis is conducted and coordinated with development of the CDMP. Through this coordination, additional potential alternatives are dismissed because of environmental concerns, while any remaining environmental issues are considered and appropriate mitigation measures identified.

Throughout development of the CDMP, the Army evaluates the Development Entity's approaches to various issues bearing on environmental stewardship. These include matters affecting potential savings with respect to energy conservation, recycling (both during demolition and construction and during later home ownership), natural landscaping and vegetative cover, and similar "smart" building and operational practices. The resulting CDMP contains all the details of the RCI project, including all work to be done, financing arrangements, and schedules.

5. Approval of the CDMP. The Installation Commander submits the negotiated CDMP through command channels to Headquarters, Department of the Army, for concurrence. The CDMP is then submitted to DoD for approval, with notification provided to the congressional committees responsible for MHPI oversight. The approval process authorizes the installation's access to the Family Housing Improvement Fund, a revolving fund established for the MHPI, as well as the installation's use of the MHPI's authorities as set forth in the negotiated CDMP.

6. Ratification of the CDMP. Based on DoD's approval of the use of statutory authorities and the revolving fund, the installation and the Development Entity sign the CDMP. Analysis of potential environmental effects in accordance with NEPA is completed before the CDMP is approved (signed).

7. Implementation of the CDMP. The CDMP is implemented in accordance with its terms.

2.1.2 Legislative Authorities

The scope of an RCI project is determined primarily by an analysis of the condition of the existing housing and consideration of additional housing requirements to address the installation's deficit of affordable, quality housing. These factors drive the amount of new construction, demolition, and renovation and the number of ancillary supporting facilities needed at an installation. Negotiation of the CDMP includes selection of the appropriate legislative authorities to support fulfillment of the installation's family housing needs. These provisions give the Army and its Development Entity exceptional flexibility to create successful business

arrangements for the benefit of soldiers and their families. The authorities (with their U.S. Code citations) are summarized below:

- €# *Direct Loans.* The Army may make direct loans to persons in the private sector to provide funds for the acquisition or construction of housing suitable for use as military family housing (10 U.S.C. 2873(a)(1)).
- €# *Loan Guarantees.* The Army may guarantee a loan to any person in the private sector if the proceeds of the loan are used to acquire or construct housing units suitable for use as military family housing (10 U.S.C. 2873(b)).
- €# *Investment in Nongovernmental Entities.* The Army may make investments in nongovernmental entities carrying out projects for the acquisition or construction of housing units suitable for use as military family housing. Such an investment may include a limited partnership interest, a purchase of stock or other equity instruments, a purchase of bonds or other debt instruments, or any combination of such forms of investment (10 U.S.C. 2875(a), (b)).
- €# *Differential Lease Payments.* Pursuant to an agreement to lease military family housing, the Army may pay the lessor an amount in addition to the rental payments made by military occupants to encourage the lessor to make the housing available to military members (10 U.S.C. 2877).
- €# *Conveyance or Lease of Existing Property and Facilities.* The Army may convey or lease property or facilities, including ancillary supporting facilities, to private persons for the purposes of using the proceeds to carry out activities under the initiative (10 U.S.C. 2878).
- €# *Conformity with Similar Local Housing Units.* The Army will ensure that the room patterns and floor areas of military family housing units acquired or constructed under RCI are generally comparable to the room patterns and floor areas of similar housing units in the locality concerned. Space limitations by pay grade on military family housing units provided in other legislation will not apply to housing acquired under the initiative (10 U.S.C. 2880(a), (b)).
- €# *Ancillary Supporting Facilities.* Any project for the acquisition or construction of military family housing under the initiative may include the acquisition or construction of ancillary supporting facilities (10 U.S.C. 2881).
- €# *Lease Payments Through Pay Allotments.* The Army may require soldiers who lease housing acquired or constructed under the initiative to make lease payments by allotments from their pay (10 U.S.C. 2882(c)).

2.2 **IMPLEMENTATION OF THE PROPOSED ACTION**

The proposed action is privatization and expansion of family housing areas in the northwest portion of Fort Detrick, which entails construction of about 292 new housing units, demolition of about 127 existing units, and revitalization of about 62 existing units, and construction of associated access roads and ancillary facilities.

The proposed CDMP would include a number of actions to be undertaken by GMH and Fort Detrick. This section provides an overview of the CDMP. An excerpt of the CDMP is provided in Appendix A. Under the CDMP, development would respect and respond to the existing natural and built-up environment to minimize impact and to capitalize on the value of existing conditions. Planning responds to the following environmental principles:

- ☐# Housing areas will be designed to respect the existing natural systems of topography, vegetation, and drainage.
- ☐# Developed areas will be designed to minimize ground works, aboveground utilities, and drainage.
- ☐# Existing landscape will be preserved in all possible situations.
- ☐# The landscape will be populated largely with native plant materials.
- ☐# A water-management system will be designed to handle both the quantity and quality of storm water runoff.
- ☐# Community design will reduce dependence on the car.
- ☐# An open-space network will be used to link larger spaces, corridors, and fragments with a system of pedestrian and bike trails.
- ☐# The sense of community will be heightened with improved and linked open spaces, strategic tree locations, trail systems, activity areas, and street layouts to enhance the quality of outdoor life.
- ☐# Existing built and open landscapes will be integrated with and accessed from the new landscapes.

2.2.1 Community Development and Management Plan Provisions

2.2.1.1 Lease of Land

Fort Detrick would grant GMH a lease of approximately 48 acres currently used for family housing and family housing support. Fort Detrick would also grant a 50-year lease for parcels in additional areas totaling approximately 61 acres for siting of new family housing and ancillary supporting facilities to be constructed, operated, and maintained by GMH. Lease of these parcels would be subject to several conditions imposed by the Army. The lease would be subject to all existing easements or those subsequently granted, as well as established access routes for roadways and utilities located, or to be located, on the premises. The lease would include the following clauses:

- ☐# Prohibit GMH from storing hazardous wastes (in excess of those quantities generated in routine operations and immediately disposed of) or taking any actions that would cause irreparable injury to the land. GMH would be required to comply with all federal, state, interstate, or local applicable laws, regulations, conditions, or instructions affecting its activities. The Army would also include clauses in the lease permitting the Army's periodic inspection of the property to ensure its safe condition and its proper use in accordance with the terms of the lease.
- ☐# Prohibit the discharge of waste or effluent from the premises in such a manner that the discharge would contaminate streams or other bodies of water or otherwise become a public nuisance.
- ☐# Prohibit removal or disturbance, or causing or permitting removal or disturbance of, any historical, archaeological, architectural, or other cultural artifacts, relics, remains, or objects of antiquity. In the event that such items were discovered, GMH would be required to immediately notify the Installation Commander or his designated representative and protect the site and the material from further disturbance until the Installation Commander or designated representative gives clearance to proceed.

- ☞ Require maintenance of all soil and water conservation structures and require that appropriate measures be taken to prevent or control soil erosion within the premises. These measures would be addressed in permits (e.g., Clean Water Act Section 404) and in erosion and sediment control plans.
- ☞ Prohibit cutting timber; conducting mining operations; removing sand, gravel, or kindred substances from the ground; committing waste of any kind; or in any manner substantially changing the contour or condition of the premises except as authorized through permits or by the Installation Commander or his designated representative.

2.2.1.2 Existing Family Housing Areas

Fort Detrick's primary family housing area is in the north-central part of the installation. Figure 2-2 shows an overview of the existing primary housing area, the MCA housing area (recently completed), and the areas available for new housing construction. Nallin Farm, in the northeast portion of the installation (as shown in Figure 2-1), contains two housing units, one of which would be conveyed to GMH.

Eighty-one percent of the housing units were constructed before 1967. Table 2-1 provides the current inventory of housing and Table 2-2 shows the dates of construction of the units and the range of their size. Fort Detrick family housing is provided on a first-come, first-served basis. Housing assignments are determined by grade category and bedroom requirement. About 85 percent of the family housing units are made available for enlisted personnel.

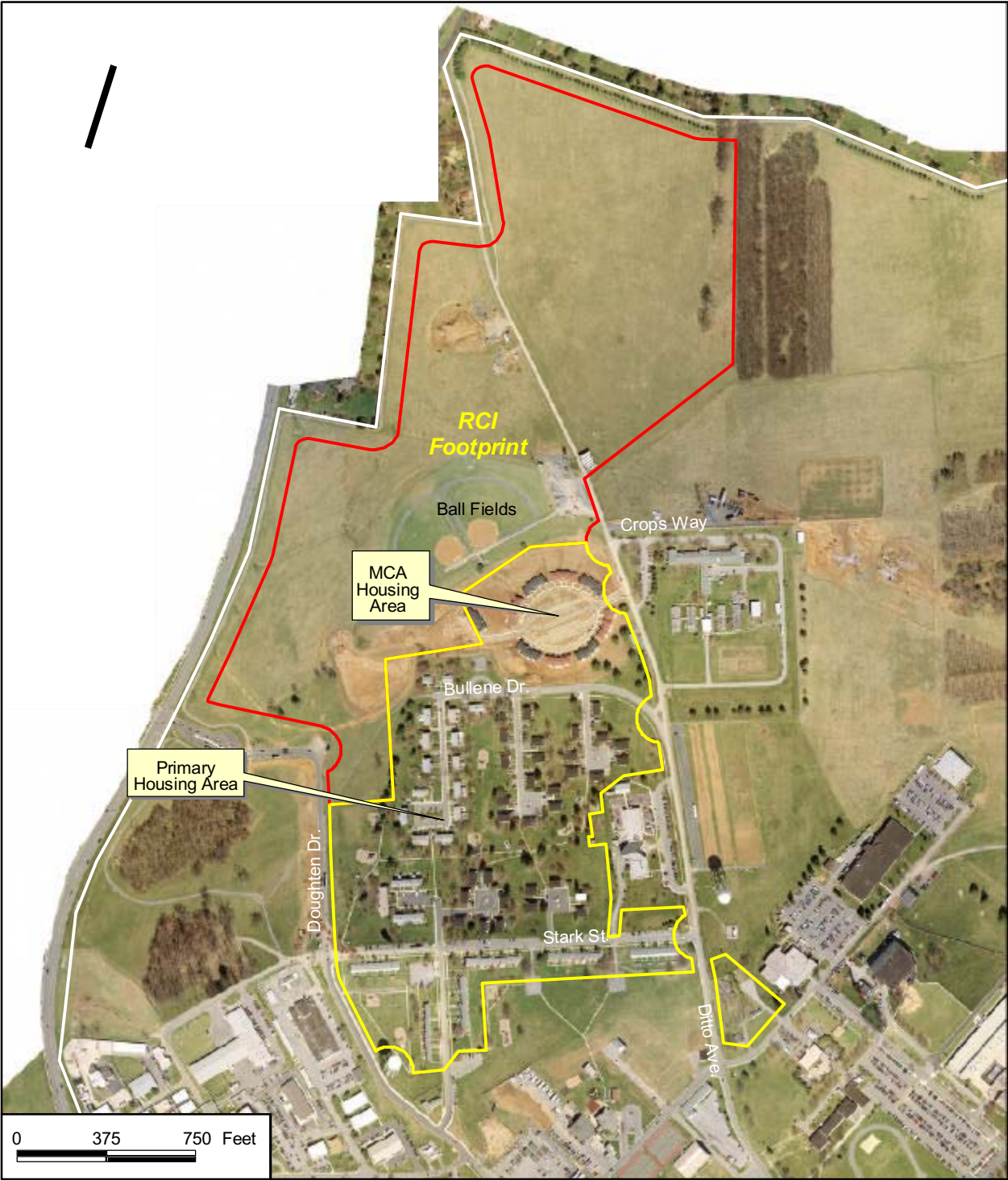
Table 2-1
Fort Detrick Housing Inventory

Grade¹	2 BR	3 BR	4 and 5 BR	Total
GFO	0	0	1	1
SGO	0	0	2	2
FGO	0	0	2	2
CGO	0	0	12	12
SNCO (E7-E9)	0	5	4	9
JNCO (E1-E6)	30	125	10	165
Total	30	130	31	191

¹ GFO – general/flag officer; SGO – senior grade officer; FGO – field grade officer; CGO – company grade officer; SNCO – senior noncommissioned officer; JNCO – junior noncommissioned officer; E – enlisted rank.

Table 2-2
Housing Units Constructed

Year	Number of Units Constructed			
Constructed	2 BR	3 BR	4 and 5 BR	Totals
Before 1950	0	2	2	4
1950	0	32	0	32
1951	0	16	0	16
1958	22	25	0	47
1959	8	8	0	16
1965	0	11	27	38
1967	0	0	2	2
2003	0	36	0	36
Totals	30	130	31	191



LEGEND

- Fort Detrick RCI Footprint: Existing Housing Area
- Fort Detrick RCI Footprint: Potential Housing Area
- Installation Boundary

Fort Detrick Primary Housing Area

Source: Fort Detrick GIS, 2003.

Figure 2-2

2.2.1.3 CDM Development Strategy

Fort Detrick and GMH considered several options in developing the CDM. These options considered various alternatives to implement the proposed action. Under the CDM, GMH would construct about 292 new units, demolish about 127 units, and revitalize about 62 units. Implementation of the CDM would require that GMH operate and maintain all family housing for a period of 50 years, as well as construct, operate, and maintain the ancillary supporting facilities. The development plan has a variety of options for family housing units, including the following:

- ⌘ Technical revitalization: Replace or repair various housing components to upgrade units to Army standards of acceptability (e.g., replace dishwasher, replace roof, replace light fixtures, repair driveway and sidewalk).
- ⌘ Functional replanning: Add, modify, or improve the floor plan or structure to enhance livability (e.g., convert two two-bedroom units into one four-bedroom unit).
- ⌘ Redesignation: Modify the number of bedrooms in a housing unit without construction (e.g., redesignate a three-bedroom home as a two-bedroom home with a family room).
- ⌘ Demolition/removal: Completely remove housing unit without replacing.
- ⌘ Demolition/replacement: Completely remove the housing unit and replace with an alternative housing unit.
- ⌘ Infill/existing: Build a replacement housing unit within an existing housing area.
- ⌘ Replacement/undeveloped land: Build a replacement housing unit on an unoccupied site.
- ⌘ Replacement/existing: Build a replacement housing unit on an existing/occupied housing site.

Table 2-3 shows the actions that GMH would take under the CDM to improve the housing areas at Fort Detrick. Eight neighborhood villages are proposed, including three that would replace part of the existing primary family housing area and two that would be constructed in the undeveloped portion of the RCI footprint. Villages 1, 2, 4, 6, 7, and 8 would provide housing for enlisted personnel, and Villages 3 and 5 would contain officer housing. Upon completion of the initial construction program which is estimated to occur in 2007, the inventory of housing units, defined by village and number of bedrooms, would be as shown in Table 2-4. Figure 2-3 shows the proposed locations of the villages and the proposed breakdown of housing types in the end state housing areas on Fort Detrick. Appendix A provides additional details about the layout and design of the new housing units.

In addition, GMH would construct family-oriented community amenities, including one new community/fitness center, as well as expansion of the existing community center, swimming pools, tot lots, and a community sports complex and park. A walking/fitness trail network connecting housing areas is also planned.

The CDM will be within acceptable scores generated from the Army's Assistant Chief of Staff for Installation Management's (ACSIM) Sustainable Design and Development (SDD) Sustainable Project Rating Tool (SPiRiT). SPiRiT is a rating tool that allows environmentally responsible practices to be integrated into the project from the start of the planning process. By looking from a neighborhood perspective rather than individual housing units, SPiRiT helps preserve the environment and improve housing unit life-cycle management. SPiRiT is based on accepted energy and environmental principles.

Table 2-3
Housing Actions

Neighborhood Village	Housing Units	Notes
Village 1	0 existing 183 new 183 end state	Create a new junior enlisted adaptable duplex/townhome community
Village 2	43 existing 43 demolish 48 new 48 end state	Demolish 43 existing units and perform major renovations on 26 units and minor revisions on 36 units to create a new junior enlisted adaptable duplex/townhome community
Village 3	0 existing 21 new 21 end state	Create a new officer single family home community
Village 4	36 existing 36 demolish 26 new 26 end state	Demolish existing units and replace with a new senior enlisted townhome and single family home community
Village 5	48 existing 48 demolish 14 new 14 end state	Demolish existing units and replace with a less dense new officer townhome community; remaining space would be converted to open space/recreation
Village 6	24 existing 24 renovate 24 end state	Perform major renovations on an 24 junior enlisted adaptable duplex/ townhome units
Village 7	2 existing 2 renovate 2 end state	Perform major renovations on two junior enlisted single family units
Village 8	36 existing 36 renovate 36 end state	Make minor revisions on 36 units in a junior enlisted adaptable duplex/townhome community
Nallin Farm (Building 1654)	1 existing 0 end state	Use temporarily until new housing construction is complete, then returned to Army ownership

Table 2-4
Housing Area Build-Out by Bedrooms

Grade¹	2 BR	3 BR	4 BR	Total
GFO	0	0	1	1
SGO	0	0	3	3
FGO	0	13	4	17
CGO	0	8	6	14
SNCO (E7-E9)	0	16	10	26
JNCO (E1-E6)	0	279	14	293
Total	0	316	38	354

¹ GFO – general/flag officer; SGO – senior grade officer; FGO – field grade officer; CGO – company grade officer; SNCO – senior noncommissioned officer; JNCO – junior noncommissioned officer; E – enlisted rank.



Conceptual CDMP Site Plan

**Fort Detrick
Frederick, Maryland**

Figure 2-3

2.2.1.4 Conveyance

All existing family housing units would be conveyed to GMH, with the exception of the Nallin Farm House (Building 1652). The Army would convey property within the RCI footprint with encumbrances, notices, and requirements obligating GMH to certain actions. As appropriate to each structure or group of structures, the deed would identify the presence of asbestos-containing Materials (ACM), lead-based paint (LBP), and radon. The Army would also identify any easements and rights-of-way that might affect use of the conveyed property. These encumbrances would be in the form of covenants in the deed and would be binding on the transferee, as well as any subsequent successors or assigns. Negotiated terms of transfer or conveyance might result in requirements for GMH to maintain the status quo of structures of historic value or archaeological sites or might impose a requirement for Section 106 consultation with the State Historic Preservation Officer (SHPO) prior to any actions affecting such resources. Conveyance of structures of historic value (Building 1401) or lease of land with archaeological sites would require a covenant signed to ensure that preservation strategies are considered and maintenance is in accordance with the Secretary of the Interior's Standards for Rehabilitation. The *Historic Preservation Covenant for Fort Detrick's Housing Units* is provided in Appendix B.

2.2.1.5 Barrier-free Design

New family housing and ancillary supporting facilities must adhere to the *Uniform Federal Accessibility Standards* and the *Americans with Disabilities Act Accessibility Guidelines* promulgated by the Access Board (formerly known as the Architectural and Transportation Barriers Compliance Board) pursuant to the Architectural Barriers Act of 1968, Rehabilitation Act of 1973, and Americans with Disabilities Act of 1990. These standards require that at least 5 percent of new family housing be designed and built to be accessible, or easily modifiable for access, by persons with physical disabilities.

2.2.1.6 Construction Standards

Construction standards to be applied to family housing reflect consideration of both military specifications and local community building codes.

2.2.1.7 Operation and Maintenance

GMH would operate and maintain for 50 years all existing and new family housing units and ancillary supporting facilities, including associated parking lots and sidewalks, in accordance with the quality standards established in the CDMP. At Fort Detrick's option, the installation may extend the period of operation and maintenance and the leases of land supporting family housing for an additional 25 years. All operation and maintenance should be conducted in accordance with federal, state, local, and Fort Detrick environmental requirements.

2.2.1.8 Rental Rates and Payments

The rental rate to be paid by any soldier would not exceed his or her basic allowance for housing (BAH). Fort Detrick would continue to categorize family housing by grade group (e.g., junior NCO, senior NCO, company grade officer).

2.2.1.9 Occupancy Guarantee

Fort Detrick would not guarantee for GMH the level of occupancy of the housing units. Under special circumstances such as large-scale, long-term deployments, GMH could rent vacant family housing units to tenants other than service members with dependents in accordance with Table 3-3 ("Priority of assignment for family housing") in AR 210-50 (*Housing Management*) at rental rates of no less than what a soldier would be charged. The Installation Commander must approve GMH's basic lease agreement in such cases.

2.2.1.10 Regulatory Controls

It is the intent of the development plan to adopt the International One and Two Family Dwelling Code, 1998 Edition, by the International Code Council, Inc., with standardized requirements for building, plumbing, mechanical, and electrical systems by incorporation of a compilation of data from the following national model codes: Uniform Building Code, Standard Building Code, BOCA National Building Code, Standard Plumbing Code, International Building Code, Building Officials and Code Administrators (BOCA) National Plumbing Code, Uniform Mechanical Code, Standard Mechanical Code, Standard Gas Code, BOCA National Mechanical Code, Code for the Installation of Heat-Producing Appliances, National Electrical Code, applicable Maryland state codes and regulations, and applicable federal codes and regulations.

2.2.1.11 Utilities

The Army and GMH have developed a utility program that promotes energy conservation and reduced utility consumption. Under this program, GMH would be responsible for all costs of utilities provided to common areas of the project and all vacant units during the entire project period. Further, GMH would be responsible for all utilities in occupied housing units covered by the project until the units have been renovated or replaced, utility meters (electric, gas, and/or oil) have been installed, and a 12-month consumption record has been established. When these three conditions have been met in an entire housing area and appropriate notice is provided to the service member occupant, the service member would become responsible for the cost of utilities (electric, gas, and oil) for the residence.

After consumption records have been established, an average utility consumption cost would be determined for each housing unit type. The service member would then receive this amount from the BAH and be responsible for paying utilities. Should the utility costs exceed the service member's identified utility allowance, the service member would be responsible for paying that amount from basic pay. If the utility bill is less than the calculated allowance, the service member would retain those funds. The remainder of the service member's BAH would go to the selected developer as rent.

2.2.1.12 Police and Fire Protection

The Army provides its own police and fire protection at Fort Detrick and would continue to do so.

2.2.1.13 Jurisdiction

Legislative jurisdiction at Fort Detrick is exclusive. The term "exclusive legislative jurisdiction" is applied when the federal government possesses, by whatever method acquired, all the authority of the state and the state concerned has not reserved to itself the right to exercise any of the authority concurrently with the United States except the right to serve civil or criminal process in the area relative to activities that occurred outside the area.⁴ Implementation of the RCI would not change existing legislative jurisdiction.

2.2.1.14 Implementation Commencement

Assuming execution of the CDMP by Fort Detrick and GMH before the end of April 2004, implementation of the CDMP would begin in August 2004.

2.2.2 Siting of New Housing

Fort Detrick's evaluation of potential sites for current and replacement family housing is constrained by the highly urban location of the present housing and shortage of space available

⁴ Definitions and characteristics of jurisdiction are provided in AR 405-20, *Federal Legislative Jurisdiction*.

for additional family housing. To the extent possible, the following siting criteria have been considered in establishing the footprint for the RCI family housing:

- ⌘# *Proximity to existing housing.* New family housing and ancillary supporting facilities would be located near existing family housing. From a land use pattern perspective, this approach allows for maintaining consistency in adjacent land uses in larger general areas. It also results in residents being close to existing supporting facilities such as schools, community clubs, the post exchange, the commissary, and auto service stations. Such proximity helps create a sense of “small town” neighborhoods where principal shopping destinations are nearby. Locating new neighborhoods close to existing ones helps to reduce development costs by enabling the use of existing utility corridors and other infrastructure. Finally, keeping family housing in or near a generally developed portion of the installation avoids opening newer, more distant areas. The risk of potential effects on ecological systems (e.g., wildlife disturbance, habitat fragmentation) is thus decreased.
- ⌘# *Sufficient size.* Lack of adequate acreage for proposed housing could adversely affect an otherwise pleasing atmosphere by creating too high a building density. Allocation of an adequate amount of property would result in a density that strikes an appropriate balance between the residents’ desire for space and an appropriate use of land resources. This criterion also takes into consideration the value of land in a highly urbanized setting.
- ⌘# *Physical features.* Any site for family housing must not be located on steep terrain, in areas heavily incised by watercourses, or within any stream buffers, wetland buffers, or floodplains.
- ⌘# *Compatible land use.* Family housing parcels must not result in the creation of incompatible land uses (e.g., within airfield runway accident potential zones or clear zones, within or near high-noise areas, on contaminated properties, or adjacent to off-post industrial property).
- ⌘# *Minimal loss of natural, ecological, and cultural resources.* Siting of family housing must avoid loss of natural, ecological, and cultural resources such as wetlands, listed or sensitive species or their habitat, wildlife species’ travel corridors, archaeological sites, and structures eligible for the NRHP.
- ⌘# *Military security.* Parcels must be located so as not to enable or encourage residents to interfere with military security requirements or to pose a risk of breach of military security. Housing areas should not be located near sites supporting activities to which access is controlled for security reasons.
- ⌘# *Operational safety.* Parcels should be located away from operational areas to avoid potential safety risks to residents. Parcels for siting of family housing should not be located so that residents would be required to travel past or through training areas while transiting to off-base locations.